

The Honorable Rahm Emanuel
Testimony on Elder Justice Act (HR 1783)
House Judiciary Subcommittee on Crime, Terrorism and Homeland Security
April 17, 2008

Good Morning.

Before I begin, I want to sincerely thank Chairman Scott, Ranking Member Gohmert, and the members of the Subcommittee for holding this hearing.

As you may know, the issue of elder abuse, neglect and exploitation is unfortunately, nothing new. What you may not know though, is that the first hearing on elder abuse was in 1979 in the House Select Committee on Aging. The Senate has held over 20 hearings on the issue of elder abuse dating back to 1991. However, the House has only held one hearing in 1991 since those early hearings on the now defunct Select Committee on Aging. Today is the first time in 17 years that a House Committee will look at the issue of elder abuse. I sincerely applaud the Committee for taking this action and I thank you for giving me the opportunity to discuss this very important issue here today.

Reports reveal that 500,000 to 5 million senior American's will be victims of some form of abuse every year, causing illness, suffering, and premature death. In my home state of Illinois, reports to the Illinois Elder Abuse and Neglect Program increased by 48% between 1997 and 2005. Additionally, 186 nursing home residents actually died of starvation, dehydration or infected wounds in 1999 alone.

I would like to briefly share with you one story of a former constituent of mine that I met in 2003. Her name is Rosemary Pulice and her father was abused and neglected in a nursing home. Before Alzheimer's stripped him of his strength and clarity, her father was a strong and independent man: a World War II veteran who fought for his country, a loving husband and a caring father who meant the world to his family. His illnesses robbed him of both his physical and mental abilities – he could neither fend for himself physically nor sort through mentally what was happening. During his time at a nursing home, Rosemary started to notice bruises, cuts and contusions and when she asked staff about them, they claimed “Nothing happened on our watch.” No one was concerned about the injuries – no one attended to his pain. When Rosemary tried to address the abuse and neglect with aides, administrators, and finally with the police, she was treated as though she were crazy. The situation was treated as a “family problem” -- much like domestic violence was 20 years ago.

Since my election to Congress, I have been working with my colleagues Rep. Peter King and Senators John Breaux, Orrin Hatch and Blanche Lincoln to pass the Elder Justice Act to protect vulnerable seniors, just like Rosemary's father from an increasing number of cases of physical and psychological abuse, neglect and financial exploitation. The bill enjoys wide bipartisan support and currently has 105 cosponsors in the House and 24 cosponsors in the Senate.

The Elder Justice Act has been endorsed by the Elder Justice Coalition, a national membership organization comprised of 525 groups and individuals dedicated to eliminating elder abuse, neglect and exploitation in America. Members include the National Committee for the Prevention of Elder Abuse, National Association of Adult Protective Service Administrators, National Academy of Elder Law Attorneys, AARP, National Association of State Ombudsman Programs and the National Association of State Units on Aging.

Few pressing social issues have been as systematically ignored as elder abuse. Over the past 25 years, Congress passed comprehensive bills to address child abuse and crimes against women, yet there is not one full-time Federal employee working on elder abuse in the entire Federal Government. A comparison of federal money spent to fight abuse and neglect shows that \$6.7 billion is spent on child abuse, \$520 million on domestic abuse, and only \$135.5 million on elder abuse – less than 2 percent of federal dollars spent on abuse and neglect goes toward elder abuse. This lack of resources has staggering consequences. By addressing law enforcement, social service and public health concerns, the Elder Justice Act uses the proven, cost effective approaches that Congress has adopted to combat child abuse and violence against women.

The Elder Justice Act is the first comprehensive federal effort to address and prevent elder abuse, neglect and exploitation. This legislation, would, for the first time, provide much needed support to state and local entities, which are on the front lines in combating this largely unreported, but growing problem. This bipartisan legislation will protect seniors by providing victim assistance, improved long-term care and support for at-risk elders, as well as providing resources to states for abuse prevention and improved prosecution. It will also make our communities safer for older people by developing new strategies and requiring prompt reporting of crimes in nursing homes.

The Elder Justice Act also contains important research, training, forensics, and consumer information provisions which will help practitioners to detect, treat and prevent it in the most effective and cost-effective ways.

The National Sheriff's Association has also endorsed the Elder Justice Act because they believe it is an effective approach which will give local law enforcement officials the tools they need to prevent the abuse, neglect and exploitation of seniors in their communities. The Elder Justice Act authorizes funding for efforts like the Triad program, which has been used by law enforcement agencies throughout the United States to develop effective local programs serving almost 18 million seniors nationwide. My hometown of Chicago currently has 25 active Triad programs in operation.

There are a few additional key provisions in the bill that I would like to briefly mention:

- **Increases Prosecution:** The bill increases prosecutions by providing technical, investigative, coordination, and victim assistance resources to law enforcement to support elder justice cases.

- **Provides Grants to Support Local Prosecutors:** Provides grants for training, technical assistance, policy development, multidisciplinary coordination and other types of support to local prosecutor handling elder justice-related.
- **Creates New Forensic Centers:** The legislation creates new forensic expertise (similar to that in child abuse) to promote detection and increase expertise of elder abuse, neglect and exploitation.
- **Requires Immediate Reporting of Crimes to Law-Enforcement:** The bill requires the immediate reporting of crimes in long-term care settings to law enforcement.
- **Provides Grant Funding for Adult Protective Services:** The bill also provides dedicated funding for Adult Protective Services (APS) to assist victims.
- **Establishes Elder Justice Coordinating Council:** The bill elevates elder justice issues to a national by creating a public-private Coordinating Council to coordinate activities of all relevant federal agencies, States, communities and private and not-for-profit entities.

To date, no federal law has been enacted that adequately and comprehensively addresses the issues of elder abuse, neglect, and exploitation. The Elder Justice Act is the first step toward laying the groundwork to develop a knowledge basis about elder abuse, neglect and exploitation, where there is no knowledge. This bill is an attempt to stimulate research and the development of an understanding of abuse so that strategies to combat it can be developed. With 77 million baby boomers aging, the country is simply not prepared to address the growing tide of elder abuse.

After almost three decades of inaction on this critical issue since the first House hearings, the time for the House to act is now.

Thank you.